



1636

PATENT #1113
1422-0442P

IN THE U.S. PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

Applicant: Hiroaki SAGAWA et al. Conf.: 6993
Appl. No.: 09/690,885 Group: 1636
Filed: October 18, 2000 Examiner: D. GUZO
For: PLASMID

LETTER IN RESPONSE TO SEQUENCE LISTING REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

February 14, 2003

Sir:

A Notice to Comply With Requirements for Nucleotide Sequence and/or Amino Acid Sequence Disclosures was mailed in the above-identified application on January 14, 2003. The Notice recites: "applicants disclose 30 nucleotide and amino acid sequences in the application but have not submitted a Sequence Listing." Applicants would like to make the Examiner aware that a fully compliant paper and disk copy of a Substitute Sequence Listing was mailed along with a supporting Preliminary Amendment on October 18, 2000. As evidence of this submission, applicants are enclosing herewith a copy of the October 18, 2000 date stamped postcard receipt.

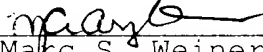
For the convenience of the Patent Office, Applicants are re-submitting both paper and disk copies of the Substitute Sequence Listing and the Preliminary Amendment as originally filed on October 18, 2000. The computer readable form of the Substitute

Sequence Listing is identical to the paper copy except that it lacks formatting.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Marc S. Weiner, #32,181

MSW/MAA/BCF
1422-0442P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

(Rev. 09/27/01)

Papers Filed herewith on: Oct. 18th, 2000 59
DOCKET NO.: 1422-442P
ATTY.: MSW/MAA
APPLICANT(S): SAGAWA et al.
APPLN. NO.: 37212 FILED: 10-18-00
PAT NO.:
☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
☒ Filing Under 37 CFR 1.53(b) ☐ CONT ☒ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☒ Specification Consisting of: 103 pages
☒ Combined Declaration & Power of Attorney (copy)
☐ Assignment / Cover Letter
☐ Letter to Official Draftsman
☒ Drawings 26 Sheets ☒ Formal ☐ Informal ☐ Red-ink
☐ Completion of Filing Requirements, PCT/DO/EO/905
or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc.
☒ Amendment: Preliminary
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity
☐ Response
☒ Information Disc. Stmt. PTO-1449(s) 1 ref(s)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
FEES: \$950.00 - CK # 6015867
☐ Letter:
Other: Receipts for deposits of microorganisms (copies)
Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 10-24-00
Handcarry:

DOCKET NO. 1422-442P

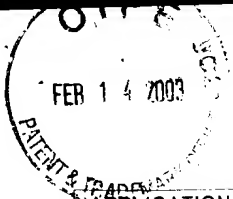
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or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc.
☒ Amendment: Preliminary
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity
☐ Response
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

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ART UNIT	PAPER
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DATE MAILED

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

- SEE ATTACHMENT -

Attachment

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth below or on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Specifically, applicants disclose 30 nucleotide and amino acid sequences in the application but have not submitted a Sequence Listing.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

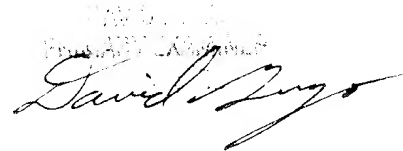
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Guzo whose telephone number is (703) 308-1906. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

Art Unit: 1636

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Irem Yucel, can be reached on (703) 305-1998. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4242. Faxes may be sent directly to the examiner at (703) 746-5061.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

David Guzo
January 13, 2002

A handwritten signature in cursive script, appearing to read "David Guzo", is written over a faint, circular official stamp. The signature is in dark ink and is slanted slightly to the right.